

MEETING #29 –July 9, 2019

At a Joint Meeting of the Madison County Board of Supervisors on July 9, 2019 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman
Charlotte Hoffman, Supervisor
Kevin McGhee, Supervisor
Amber Foster, Supervisor
Jack Hobbs, County Administrator
Mary Jane Costello, Director of Finance/Assistant County Administrator
Sean Greg, County Attorney
Suzanne Long, Acting Clerk

ABSENT: Jonathon Weakley, Member

Call to Order, *Pledge of Allegiance & Moment of Silence*

Chairman Jackson called the meeting to order at 4 p.m. and led the Pledge of Allegiance and called for a moment of silence.

Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson said a quorum was established. Chairman Jackson said the Board needs to adopt an agenda, and that he had two additional things. Chairman Jackson said the Board would need to go into closed session for two things, which is already on the agenda.

Chairman Jackson called for the following amendments to tonight's Agenda:

Add:

Item 5.5 Old Business (Rumble Strips on Fairgrounds and Route 231)

Item 7.5 Building Official

Zoning Cases #13 and #14 have been tabled by the applicant

Supervisor Hoffman moved that the Agenda be adopted as presented, seconded by Supervisor Foster. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

Public Comment

Chairman Jackson opened the floor for public comment. The following individual(s) provided comment(s):

- Joe May: Expressed appreciation of the recent conversation he had with the Finance Director; encouraged the County Administrator to move his microphone closer to his face when speaking.
- Carty Yowell: Advised that he had received many comments that the recycling station may be obsolete at the landfill.

Chairman Jackson: Advised that based on comments by the new vendors, there was an issue with the recycling rates.

The County Administrator also explained that the current contract (with Waste Management Services, Inc.) has been extended for a month and that recycling services will continue without a renewed contract; however, a new contract has been signed (with

a new vendor, and it's anticipated that there will be some differences with the recycling process and a change from the current 'single stream' method.

- Eleanor Montgomery: Expressed appreciation for recent improvements along Fishback Road.

With no further public comment(s) being brought forth, Chairman Jackson closed the public comment opportunity.

Constitutional Officers

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, expressed appreciation to the Deputy Troy Estes of the Sheriff's Office for providing ALICE training to County staff on July 1st and 2nd; the overall process did allow staff the opportunity to participate in various life-threatening scenarios, and provided techniques to help staff feel more confident and more secure in the office setting.

The Board also thanked the Sheriff's Office for providing the special training to County personnel.

County Departments

Economic Development & Tourism: Tracy Gardner, Director of Economic Development & Tourism, provided highlights from her monthly report; advised that she met with new innkeepers. Additional highlights focused on:

- Positive feedback from posted signage
- Facebook inquiries (4,300) with (2) engagements being developed
- Andy Chapman with <http://www.eatyall.com> is bringing his Chef Camp to Virginia (Graves Mountain Lodge to be exact) for first time August 6 & 7
- New MCHS graduate will be bringing a new food truck to Madison soon - 'Over the Top Chef'
- Ribbon Cuttings scheduled for:
 - Saturday, July 6 at 11am Sugar on Top Cakes and Sweets and One Lens Fits All Photography (lots of giveaways and treats).
 - Sunday, July 7 at Renback Barn, a beautiful facility. Renback Barn will also be utilizing the Taylor House for lodging which sleeps 16, perfect for wedding parties.
 - Saturday, July 13th at Blue Quartz Winery and Shotwell Run Brewing Company, adding more music from 1pm-4pm Down the Lan and Gigi and the Red Hots from 5-8pm and of course The Little Country Store doing BBQ.
 - Saturday, July 20th for new owners at Subway.
- Bald Top won Silver and Gold at Virginia Craft Beer and will also have Lover's Lager edition of their award-winning Light Lager for our 50 Days of Love.
- Revalation winery won Silver for Village 2017 and Petit Manseng, 1st Place for Overall Winery Presentation and the Judges Award at the Virginia State Fair.
- 50 Years of Love grant will be used to initiate social blitz video on Thursday, July 11. (all costs reimbursed by the grant)
- TOTM brochures are in
- Annual parade scheduled for Wednesday, 7/17/19 at 6:30 p.m.
- Printed Ad & posted to website (i.e. regarding VATI) - information sent to Clint Hyde and other vendors.
- Working with Tammy Breski with DHCD sent directly to those that challenged the last one to cover all bases
- Registered for the Governor's Summit on Rural Prosperity for the end of September and our State's VA1 Tourism Summit in November celebrating 50 Years of Love.

- Offices of Montague Miller will be moving to the Shenk Building (across from the drug store)

Schools: Barry Penn Hollar, chairman of the School Board, was present to advised that although it's summertime, the school board is busy; new hires have included: Betty Jo Wynham has been hired as the Principal of the MCHS, Sharon Johnson as Assistant principal Primary School, and Patty Reiss as dean of students at WYES (i.e. all are former MCHS grades with deep county roots); the memorial service for Mr. Robert Chappell (former SB member) was a great celebration of life event; the school board also voted to renegotiate the Superintendent's contract - by law, only a four-year contract can be initiated (Ms. Graham was hired as a new Superintendent with a three-year contract); based on a very positive first year and positive evaluations from the school board, Ms. Graham's existing contract (with two years remaining) was eliminated and replaced with a new four-year contract.

Department of Social Services: Valerie Ward, Director of Madison Dept. of Social Services, was present and advised that she has been asked to coordinate a meeting with the Blue Ridge Area Food Bank about food insecurity in the County; community partners have also been invited to attend on July 19'2019 at the Senior Center; conversations have also been held with the Madison Free Clinic, who plans to explore offering a mobile clinic, which may be connected with a food delivery to citizens. There is a good energy within the faith community and others in the County.

- *Chairman Jackson: Advised that the 'mobile' idea is trending; the school board also has a mobile book bus that provides services to students.*

Finance

Director of Finance/ Assistant County Administrator Costello. Assistant Administrator Costello said that the County will not be doing claims anymore on the agenda. For FY20, she said they may begin to do monthly reports in the packets. Assistant Administrator Costello said there are three supplements for FY19 to be considered.

1. Consideration of Motion to Approve Registrar Leave Payout (#47). Assistant Administrator Costello said this supplement for the Registrar is not the full pay-out; the rest will be absorbed by her department. There is only \$5,094 left and all available balance will be used. Assistant Administrator Costello said that the other two claims can be covered by their departments. She said the Sheriff's Department cannot roll-over leave so the County will need to cover that. Chairman Jackson asked if this was a dispatcher that was going to become a deputy, and the answer was yes. Move by Supervisor Foster, Second by Supervisor McGhee. **Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).**
2. Consideration of Motion to Approve Sheriff Insurance Claim (#48). Assistant Administrator Costello said the Sheriff's Department received an insurance claim and asked to be reimbursed. Motion made by Supervisor McGhee, Seconded by Supervisor Foster. **Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).**
3. Consideration of Motion to approve Rescue Squad Four for Life Camp funding (#49). Assistant Administrator Costello said this is for a camp and that the County gave this money to the Rescue Squad, but she said we need an appropriation. Chairman Jackson asked if the amount was what had been budgeted for this, and Assistant Administrator Costello said No, that the payment cycle has changed and everything is based on money received; generally, when we get the money, we cut the check. Assistant Administrator Costello said that everything we pay the rescue squad is based on money we have actually received. Moved by Supervisor Hoffman and Seconded by Supervisor Foster. **Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).**

Minutes

4. Consideration of Motion to Approve the June 25 meeting minutes. Chairman Jackson noted the minutes of the June 25 meeting, and asked Administrator Hobbs if he had anything to add; Administrator Hobbs said no. Supervisor McGhee made the motion to approve #28 meeting minutes, Supervisor Foster seconded the motion. Chairman Jackson asked for discussion; there being none, the vote was taken. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

Old Business

5. Consideration of Ratification of the Transfer Station Operation Contract (Hobbs). Administrator Hobbs said that earlier today there was a signing ceremony for a new 5-year transfer station contract, to operate the transfer station site, to haul the garbage, to dispose of the garbage, and operate a recycling component. The contractor is AMRF out of Culpeper. They drive Updike trucks. Administrator Hobbs said this has been a long process, but we look forward to having them on the scene. There will be some different price structures, which will be sorted out through a budget amendment to take into account the higher costs with the recycling costs. Roger Berry has been tasked with the explanation of the new recycling process, called source separate for cleaner recycling. Chairman Jackson asked County Attorney Sean Gregg if he had additional comments. Attorney Gregg said this was a long process that we won't have to revisit for another five years. Chairman Jackson said this is a pretty good deal and they seem more receptive than in the past. Member of the public, Joe May, asked if it made a difference whether or not a vehicle gets weighed before and after at the transfer station. Chairman Jackson asked Roger Berry to address this question. Mr. Berry said that was something that was done a long time ago, and that with the new contractor they are looking to do things differently. Chairman Jackson said that was more for the commercial side of things. Mr. Berry said that was something that Waste Management did and was called "fast lane." Mr. Berry said they would be getting flyers out within the next few weeks. Supervisor McGhee moved to ratify the July 9, 2019 transfer station contract as executed by the County Administrator and the County Attorney; the motion was seconded by Supervisor Foster. With no further discussion, the vote was taken. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*
- 5.5 Rumble Strips. Chairman Jackson asked if the County had sent an email to Mr. DeNunzio on the rumble strips. Administrator Hobbs said yes, and there has been no response. Chairman Jackson said we need to reach back out and be insistent because the situation is only going to get worse. Administrator Hobbs said he would.

New Business

6. Discussion on Request for Assistance with Rapidan Blueway Feasibility Study Proposal (Gardner). Chairman Jackson asked Director Gardner to address this item. Director Gardner said she first heard about this is was at Virginia Tourism. Stream sweepers started this activity, but the Center for Natural Capital which is located in Orange is taking the lead on this. We have two of the 3 entry points. The tourism benefit is hiking, biking, and access for canoe & kayak water trails. Gardner says it is similar to a hiking trail, but you use boats on the water. It would be nice to have public access for kayaks. Gardner says it falls in line with our comp plan and it would be good to have public access. Orange County is putting in \$15,000, the Center itself \$2,400. They want \$5,000 from Madison. Chairman Jackson asked if the \$5,000 is for a feasibility study, and Director Gardner said yes. Gardner says that money should come from the TOT fund. Do we need a presentation from the organization? Supervisor McGhee suggested the Tourism committee would address this first. Tourism Committee will study this and bring back to the Board. Gardner said we don't know the cost for the County beyond the feasibility study.
7. Discussion on Outsourced Building Plan Review. Administrator Hobbs said we have a backlog of plans in the building office and it is becoming uncomfortable. County officials will try to handle requests for single family residential 'in

house' and 'outsource' commercial plans and/or special project applications. The County has received a proposal from Fauquier County for an interim building official to share, at a shared cost, which could be a viable option for the County.

- 7.5 **Building official:** Chairman Jackson said Mr. Hobbs has told him the applications will close tomorrow. We need to sit down and triage applications. Chairman Jackson asked for a volunteer supervisor to assist with the application and interview and selection process. Supervisor Hoffman and Chairman Jackson agreed to work on this with Administrator Hobbs.

Information / Correspondence

8. Online FOIA Training for locally elected officials. Administrator Hobbs said this is a new state requirement, and instructed Supervisors to go to the state website and get this training. Jacqueline Frye will be tracking this. Attorney Berry said it is a 56-minute video. Ms. Berry said they track the link you use, as you log in to watch it. Berry clarified that this is COIA training (not FOIA).
9. Other information and correspondence. Administrator Hobbs noted that we passed the transfer station contract, and hired the County Planner, and then he will follow-up on the Building official. Administrator Hobbs said he would then shift to the Personnel study and financing the radio and school projects, and maybe architecture for this building. Chairman Jackson reported from the School Board meeting last night (i.e., July 8, 2019) report on the Phase 2 option. Their attorney said there are 40 corrections needed, which will impact the timeline. Hopefully it will get resolved quickly, and they will keep the Board in the loop. No other additional information or correspondence was reported.

Public Comment

Carty Yowell, Etlan. Mr. Yowell said he wanted to report what is going on with the Planning Commission. Mr. Yowell said they will have a full agenda on August 7 at 7 p.m. A public hearing on 3 ordinance amendments. All of this will be discussed at the workshop session this Monday July 15 at 5 p.m.

Closed Session

On motion of Supervisor Foster, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to Virginia Code Section 2-3711(A)(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

Supervisor Foster moved that the Board reconvene in open session, seconded by Supervisor Hoffman. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

Supervisor Foster moved to certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A) (7), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor McGhee. *Ayes: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

Joint Session with Planning Commission (7:00 p.m.)

10. Planning commission Agenda and Minutes
11. **Case SU-04-19-03** (TM #48-14F): Request by John M. or Emily Howard for an indefinite special use permit to operate a kennel. This property is located at 570 Courthouse Mountain Road (Route 660) near Madison and contains 2.856 acres of land, zoned A-1. (Pending a variance request for two uses on less than 6 acres of land). Request was tabled by

the Planning Commission. The applicant will have 90 days from tonight. It will be on our agenda for Wednesday, August 7, 2019.

12. **Case SP-07-19-06** (TM#39-99E) MWP Supply for 12,000 sq. Ft warehouse. VDOT comments finds it to be generally acceptable. Soil & Erosion control plan is approved. No plumbing in the building. Representative of the applicant has nothing to add. Lee Baines, civil engineer, representing MWP Supply, said this is a 3-acre gravel storage lot; this is a separate parcel from the store. Currently this lot is used as a lay-down area, storage lot for retail store. Mr. Baines said this building will be a storage building to take most, if not all, of the outdoor materials and put them inside. He said there will be two large garage doors at each end of the building, so customers can drive in and load inside. Electricity, but no plumbing. There is no plumbing, there will be a concrete floor and concrete apron around the building. Mr. Baines said there will be minimal grading, with a little cut on the uphill side and a little build on the downhill side. Enter and exit on Washington Street. A vacant lot is behind, and the lot to the south are at Autumn Care. Mr. Baines said the neighboring properties are not affected. There is a higher elevation of Autumn Care and Church street, so it won't block views. No comments from the public. Planning Commission voted unanimously to recommend to Board of Supervisors for approval.
13. **Case SU-07-19-07** (TM #39-33). Request by David A. Fulton or Julie M. Haines Trustees for an indefinite special use permit to allow a restaurant (pizza shack) at Bald Top Brewery. Request was tabled by the applicant.
14. **Case SP-07-19-08** (TM #39-33). Request by David A. Fulton or Julie M. Haines Trustees for a site plan request to allow additions onto Bald Top Brewery. Request was tabled by the applicant.
15. Pending Ordinance & Comprehensive Plan Amendments and Anticipated Public Hearing Dates.

Board of Supervisors

Chairman Jackson called to order the Board of Supervisors at 7:22 p.m. Chairman Jackson welcomed Ligon Webb, our new County Planner, who brings a wealth of experience to the position, having been first Town Planner in Luray, VA.

Planning Commission

Chairman Yowell invited County Planner Webb to attend the next Planning Commission meeting, scheduled for August 7, 2019 at 7:00 p.m., and to also attend the workshop session scheduled for Monday, July 15, 2019 at 5:00 p.m. With no further business, the Planning Commission meeting was adjourned at 7:27 p.m.

Board of Supervisors

Action items

Chairman Jackson

11. **Case SU-04-19-03** (TM #48-14F): Request by John M. or Emily Howard for an indefinite special use permit to operate a kennel. This property is located at 570 Courthouse Mountain Road (Route 660) near Madison and contains 2.856 acres of land, zoned A-1. (Pending a variance request for two uses on less than 6 acres of land). Request was tabled by the Planning Commission.
12. **Case SP-07-19-06** (TM 39-99E): Supervisor Foster moved to approve Case SP-07-19-06 for MWP so it can construct 12,000 sq. ft. warehouse off Maple Street, seconded by Supervisor Hoffman. *Aye: Jackson, Foster, McGhee, Hoffman. Nay: (0). Absent: Weakley.*
13. **Case SU-07-19-07** (TM #39-33). Request by David A. Fulton or Julie M. Haines Trustees for an indefinite special use permit to allow a restaurant (pizza shack) at Bald Top Brewery. Request was tabled by the applicant.
14. **Case SP-07-19-08** (TM #39-33). Request by David A. Fulton or Julie M. Haines Trustees for a site plan request to allow additions onto Bald Top Brewery. Request was tabled by the applicant.

Public hearings on August 7: ordinances for industrial solar, and comprehensive plan amendments for solar and private airport as special use.

Chairman Jackson called for other business.

The County Administrator referred to the site plan ordinance and the fact that a formal application requires confirmation of health department approval prior to processing for public hearing; noted that the County needs to stop formally accepting site plans if health department hasn't approved the drain fields; if the County wants to accept site plans without health department approval, then changes to the site plan ordinance need to be made.

- *Chairman Jackson: Questioned if applicants should be encouraged to attain their own engineers in an effort to speed up the process; also questioned if Mr. Moreau should be contacted and encouraged to secure an engineer or work with the health department in order to get the process for his request moving forward.*

Mr. Lee Baines was present and noted that for larger systems with large drain fields, those are complicated systems that require engineers to be involved in the design of that system.

The County Attorney suggested that the Board may have veered from the process indicated in the ordinance the past in an attempt to expedite but now needs to do things a bit differently. He did verbalize agreement with suggestions made by the County Administrator and also suggested that the County follow requirements as cited in the approved ordinance, and eliminate any unnecessary burden on the Planning Commission and Board of Supervisors.

After discussion, it was the consensus of the Board to address the RV park site application on August 7, 2019, with the understanding that approval from the health department might be complete.

A member of the public asked about another proposal to amend the County's private air strip ordinance and public utilities which hasn't been mentioned tonight.

Chairman Jackson questioned if the ordinance had been duly advertised, to which the County Attorney advised would be initiated within the next few weeks.

Adjournment

With no further action being required, on motion of Supervisor Hoffman, seconded by Supervisor Foster, Chairman Jackson adjourned the meeting. *Aye: Jackson, Hoffman, Foster, McGhee (4), Nay: (0), Absent: Weakley (1).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clark of the Board of the Madison County Board of Supervisors
Adopted: August 13, 2019



Agenda

Regular Meeting

Tuesday, July 09, 2019 at 4:00 PM

County Administration Building, Auditorium

414 N Main Street, Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

Special Appearances

Constitutional Officers

County Departments

Committees or Organizations

Finance

1. Consideration of Motion to Approve Registrar Leave Payout (#47) (Costello)
2. Consideration of Motion to Approve Sheriff Insurance Claim (#48)
3. Consideration of Motion to Approve Rescue Squad Four For Life Funding (#49)

Minutes

4. Consideration of Motion to Approve the June 25 Meeting Minutes (Hobbs)

Old Business

5. Consideration of Ratification of Transfer Station Operation Contract (Hobbs)
- 5.5 Rumble Strips

New Business

6. Discussion on Request for Assistance with Rapidan Blueway Feasibility Study Proposal (Gardner)
7. Discussion on Outsourced Building Plan Review (Hobbs)
- 7.5 Building Official

Information/Correspondence

8. Online FOIA Training for Locally Elected Officials (Hobbs)
9. Other Information & Correspondence (Hobbs)

Public Comment

Closed Session (If needed)

Joint Session with Planning Commission (7:00 PM)

10. Planning Commission Agenda & Minutes
11. **Case SU-04-19-03**(TM#48-14F): Request by John M. or Emily Howard for an indefinite special use permit to operate a kennel. This property is located at 570 Courthouse Mountain Road (Route 660) near Madison and contains 2.856 acres of land, zoned A-1. (Pending a variance request for two uses on less than 6 acres of land.
12. **Case SP-07-19-06** (TM#39-99E): Request by MWP Supply, Inc. for a site plan request to construct a new 12,000 square foot warehouse on existing gravel storage lot for MWP Supply materials. This property is located off Route 634 near the Town of Madison and contains 3.007 acres of land, zoned Industrial, M-1.
13. **Case SU-07-19-07** (TM# 39-33): Request by David A. Fulton or Julie M. Haines Trustees for an indefinite special use permit to allow a restaurant (pizza shack) at Bald Top Brewery. This property is located at 1830 Thrift Road (Route 657) near Madison and contains 52.879 acres of land, zoned A-1. (Pending a site plan request for additions.)
14. **Case SP-07-19-08** (TM# 39-33): Request by David A. Fulton or Julie M. Haines Trustees for a site plan request to allow additions onto Bald Top Brewery. This property is located at 1830 Thrift Road (Route 657) near Madison and contains 52.879 acres of land, zoned. A-1.
15. Pending Ordinance & Comprehensive Plan Amendments and Anticipated Public Hearing Dates

Adjourn